

EXHIBIT A



AlaFile E-Notice

47-CV-2022-900802.00

To: TOTAL QUALITY LOGISTICS, LLC 4000 EAGLE POINT CORPORATE DR. BIRMINGHAM, AL, 35242

NOTICE OF ELECTRONIC FILING

IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA

PETER LONGWOOD V. RONNIE CASTILLO PEREZ ET AL 47-CV-2022-900802.00

The following complaint was FILED on 7/19/2022 4:29:46 PM

Notice Date: 7/19/2022 4:29:46 PM

DEBRA KIZER CIRCUIT COURT CLERK MADISON COUNTY, ALABAMA MADISON COUNTY, ALABAMA 100 NORTHSIDE SQUARE HUNTSVILLE, AL, 35801

256-532-3390

Case 5:22-cv-01067-LCB Document 1/4 Filed 08/24/22 Page 3 of 10 Defendant 3 (0Py

State of Alabama

SUMMONS

Court Case Number

Unified Judicial System			17	'-CV-2022-900802.00		
Form C-34 Rev. 4/2017		- CIVIL -	41	-67-2022-300002.00		
100		T COURT OF MADISON C	-			
NOTICE TO: TOTAL QUALITY	LOGISTICS, LLC, 40	00 EAGLE POINT CORPORATE DR., E	BIRMINGHAM, AL S	35242		
		(Name and Address of	Defendant)			
TAKE IMMEDIATE ACTION ORIGINAL OF YOUR WRITT OTHER DOCUMENT, WITH	TO PROTECT FEN ANSWER, E I THE CLERK O DUR ATTORNEY	YOUR RIGHTS. YOU OR YO ITHER ADMITTING OR DENY F THIS COURT. A COPY OF TO THE PLAINTIFF(S) OR AT	DUR ATTORNI ING EACH ALI YOUR ANSV	S IS IMPORTANT, AND YOU MUST EY ARE REQUIRED TO FILE THE LEGATION IN THE COMPLAINT OR VER MUST BE MAILED OR HAND OF THE PLAINTIFF(S),		
		[Name(s) of Attomey(s)]				
WHOSE ADDRESS(ES) IS/ARE: 3:595 Grandview Pkwy, Suite 3:50, BIRMINGHAM, AL 3:5243 [Address(es) of Plaintiff(s) or Attomey(s)]						
OTHER DOCUMENT WERE	SERVED ON YO	IVERED WITHIN 30 DAYS	AFTER THIS	SUMMONS AND COMPLAINT OR E RENDERED AGAINST YOU FOR		
TO ANY SHER		ERSON AUTHORIZED BY OCEDURE TO SERVE PRO		MA RULES OF CIVIL		
You are hereby comina	inded to serve t	his Summons and a copy of	the Complain	it or other document in		
this action upon the above-named Defendant.						
Service by certified mail of this Summons is initiated upon the written request of PETER LONGWOOD						
•	pursuant to the Alabama Rules of the Civil Procedure. [Name(s)]					
07/19/2022 (Date)		/s/ DEBRA I		By: Kr (Name)		
Certified Mail is hereby	requested	/s/ WILLIAM CH	ANNING BRA	SHAW		
Certified Mail is hereby requested. /s/ WILLIAM CHANNING BRASHAW (Plaintiff's/Attorney's Signature)						
		RETURN ON SERVICE	E			
Return receipt of certified mail received in this office on						
(Date) [] I certify that I personally delivered a copy of this Summons and Complaint or other document to						
in County,						
(Name of Pe	erson Served)		(Name of			
Alabama on		.				
	(Date)					
			(Ad	dress of Server)		
(Type of Process Server)	(Se	erver's Signature)				
	(Sc	erver's Printed Name)	(Ph	one Number of Server)		

State of Alabama Unified Judicial System

COVER SHEET CIRCUIT COURT - CIVIL CASE

Ca: 47

ELECTRONICALLY FILED
7/19/2022 4:30 PM
47-CV-2022-900802.00
CIRCUIT COURT OF
MADISON COUNTY, ALABAMA
DEBRA KIZER, CLERK

Unified Judicial System	CIRCUIT COURT - CIVIL CASE		DEBRA KIZER, CLERK			
Form ARCiv-93 Rev. 9/18	(Not For Domestic Relations Cases)		Date of Hiling: Judge Code: 07/19/2022			
	GEI	NERAL INFORMATION				
IN THE CIRCUIT COURT OF MADISON COUNTY, ALABAMA						
PETER LONGWOOD V. RONNIE CASTILLO PEREZ ET AL						
First Plaintiff: Business	<u> ✓</u> Individual	First Defendant: Bu	usiness Individual			
Government	Other	Gc	overnment Other			
NATURE OF SUIT: Select primary cause of action, by checking box (check only one) that best characterizes your action:						
TORTS: PERSONAL INJURY		OTHER CIVIL FILINGS (cont'd)				
WDEA - Wrongful Death	ļ	MSXX - Birth/Death Certific	MSXX - Birth/Death Certificate Modification/Bond Forfeiture Appeal/			
✓ TONG - Negligence: General	al	Enforcement of Agency Subpoena/Petition to Preserve				
TOMV - Negligence: Motor	Vehicle	CVRT - Civil Rights				
TOWA - Wantonness	ļ	COND - Condemnation/Eminent Domain/Right-of-Way				
TOPL - Product Liability/AEMLD		CTMP - Contempt of Court				
TOMM - Malpractice-Medica	al	CONT - Contract/Ejectmer	nt/Writ of Seizure			
TOLM - Malpractice-Legal		TOCN - Conversion				
TOOM - Malpractice-Other	1	EQND - Equity Non-Damages Actions/Declaratory Judgment/ Injunction Election Contest/Quiet Title/Sale For Division				
TBFM - Fraud/Bad Faith/Mi	isrepresentation	CVUD - Eviction Appeal/Unlawful Detainer				
TOXX - Other:		FORJ - Foreign Judgment				
	ļ	FORF - Fruits of Crime Fo				
TORTS: PERSONAL INJURY	1	MSHC - Habeas Corpus/Extraordinary Writ/Mandamus/Prohibition				
TOPE - Personal Property	ļ	PFAB - Protection From Abuse				
TORE - Real Properly	ļ	EPFA - Elder Protection From Abuse				
OTHER CIVIL FILINGS		CTLB - Quiet Title Land Bank				
ABAN - Abandoned Automo	ahila	FELA - Railroad/Seaman				
ACCT - Account & Nonmort	i	RPRO - Real Property	(LL)			
APAA - Administrative Age			Guardianship/Conservatorship			
ADPA - Administrative Proc	*	COMP - Workers' Compens	•			
ANPS - Adults in Need of P	ŀ	CVXX - Miscellaneous Circ				
ORIGIN: F V INITIAL FILING	3	A APPEAL FROM DISTRICT COURT	O [] OTHER			
R REMANDED T TRANSFERRED FROM OTHER CIRCUIT COURT						
HAS JURY TRIAL BEEN DEMAN	NDED? YES	- J.NC1	" does not constitute a demand for a 38 and 39, Ala.R.Civ.P, for procedure)			
RELIEF REQUESTED: MONETARY AWARD REQUESTED NO MONETARY AWARD REQUESTED						
ATTORNEY CODE:						
BRA170		//2022 4:30:33 PM	/s/ WILLIAM CHANNING BRASHAW			
	Date		Signature of Attorney/Party filing this form			
MEDIATION REQUESTED: □YES ☑NO □UNDECIDED						
Election to Proceed under the Alabama Rules for Expedited Civil Actions:						

IN THE CIRCUIT COURT FOR MADISON COUNTY, ALABAMA

PETER LONGWOOD, an individual,)
PLAINTIFF.)
v.)
RONNIE CASTILLO PEREZ, an)
individual, and A through Z being that) CIVIL ACTION NO.
person, firm or corporation that owned,)
operated, leased, or otherwise controlled)
the vehicle being driven and/or)
negligently and/or wantonly entrusted)
said vehicle to Defendant, RONNIE)
CASTILLO PEREZ and/or ficitious)
defendant A through Z at the time of the)
collision which is the subject of this)
lawsuit and acted negligently and/or)
wantonly, whose true names and legal)
status are otherwise unknown to the)
Plaintiff, but who will be substituted by)
amendment when ascertained by)
Plaintiff and TOTAL QUALITY)
LOGISTICS, LLC, a foreign limited)
liability company,)
DEFENDANTS.)

COMPLAINT

COMES NOW, Peter Longwood ("Plaintiff"), by and through the undersigned counsel, and hereby files this civil action for negligence, wantonness, and negligent entrustment against Ronnie Castillo Perez ("Defendant Perez") and Total Quality Logistics, LLC. ("Defendant TQL") for injuries he sustained in an accident that occurred on or about March 1, 2021.

I. <u>PARTIES</u>

- 1. Plaintiff is and was a resident citizen of Madison County, Alabama.
- 2. Defendant Perez is and was a citizen of California at all material times referred to herein.

- 3. Defendant TQL is a foreign limited liability company which regularly does business in Alabama at all material times referred herein.
- 4. The events and circumstances forming the basis of this lawsuit occurred in Jefferson County, Alabama, and the Plaintiff is seeking compensation well in excess of the jurisdictional minimums of this Court.

II. <u>FACTS</u>

- 5. On March 1, 2021, Plaintiff was operating a forklift to unload Defendant TQL's tractor trailer.
- 6. While Plaintiff was attempting to exit the trailer, Defendant Perez pulled away from the loading dock, causing Plaintiff's forklift and Plaintiff fall off the back of the tractor trailer.
- 7. As a direct and proximate result of the impact, Plaintiff sustained injuries to his neck, back, left shoulder, left knee, left hand, and left wrist.

III. FIRST CAUSE OF ACTION

(NEGLIGENCE OF DEFENDANT PEREZ)

- 8. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.
- 9. Plaintiff avers his injuries and damages were caused by the negligence of the Defendant Perez and/or fictitious defendant A-Z in causing the Plaintiff's fall and failed to use ordinary care of a reasonable prudent person.
- 10. The Plaintiff avers that all of his injuries and damages were proximately caused by the negligence and/or wantonness of the Defendant Perez, an/or fictitious defendant A-Z while acting within the line and scope of their employment for Defendant TQL.

IV. SECOND CAUSE OF ACTION

(NEGLIGENT ENTRUSTMENT OF DEFENDANT TQL)

- 11. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.
- 12. The injuries were incurred by the Plaintiff as a result of the negligent entrustment of an automobile by Defendant TQL.
- 13. Defendant TQL, as the employer of Defendant Perez and/or fictitious defendant A-Z who was operating the automobile, had the right to permit and the power to prohibit the use of the automobile.
- 14. Defendant had reason to know that their agent was incompetent, and was likely to operate the automobile in a negligent and reckless manner.
- 15. As a direct result of Defendant negligently entrusting their agent, who operated the automobile in a negligent and reckless manner, Plaintiff, without any contributory negligence, suffered injuries.

V. THIRD CAUSE OF ACTION

(NEGLIGENT HIRING, TRAINING, SUPERVISION AND/OR RETENTION OF DEFENDANT TQL)

- 16. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.
- 17. Plaintiff avers that Defendant TQL had a duty to hire competent drivers and properly train and supervise those drivers.

- 18. Defendant TQL negligently hired, trained, retained, and/or supervised Defendant Perez who caused Defendant TQL's vehicle to prematurely pull off and caused Plaintiff's fall and subsequent injury.
- 19. As a proximate consequence of Defendant TQL's negligent hiring, training, supervision, and/or retention, Plaintiff was caused to be injured and damaged all to his detriment.

IV. FOURTH CAUSE OF ACTION

(RESPONDEAT SUPERIOR)

- 20. Plaintiff re-alleges and incorporates herein by reference each and every allegation set forth above.
- 21. Defendant Perez and/or fictitious defendant A-Z, at all material times to the allegations of this complaint, was an employee and agent of Defendant TQL acting within the scope of his employment.
- 22. Defendant TQL is liable for the negligent acts of Defendant Perez and/or fictitious defendants A-Z under the doctrine of respondeat superior.

VI. FIFTH CAUSE OF ACTION

(NEGLIGENCE/WANTONNESS OF FICTITIOUS PARTIES A THROUGH Z)

23. Plaintiff avers that fictitious defendant(s) A through Z, leased, owned, operated or otherwise controlled the vehicle causing Plaintiff's injury on or about March 1, 2021. Plaintiff further avers that fictitious defendant(s) A through Z negligently and/or wantonly entrusted the vehicle to Defendant on the date of the collision which is the subject of this lawsuit when fictitious defendant(s) A through Z knew, or in the exercise of reasonable care should have known, that Defendant was incompetent to control the vehicle in a safe and efficient manner. Furthermore, the Plaintiff avers that fictitious defendant(s) A through Z negligently and/or

wantonly failed to train Defendant, negligently and/or wantonly failed to supervise Defendant, and/or were otherwise negligent and/or wanton. Plaintiff further avers that as a proximate consequence of such negligence by fictitious defendant(s) A through Z, Plaintiff has been caused to be injured and damaged and permanently injured and permanently damaged.

VII. DAMAGES

As a result of the incident which is the subject of this action, the Plaintiff has suffered and seeks to recover for the following injuries and damages:

- (a) Past medical bills;
- (b) Future medical bills;
- (c) Past and future physical pain;
- (d) Past and future emotional distress;
- (e) Past and future wage loss;
- (f) Permanent disability;
- (g) Loss of quality of life;
- (h) All other damages proven at trial to be so entitled.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, the Plaintiff respectfully demands judgment against each of the Defendants, jointly and severally, including the fictitious party Defendants, in a sum in excess of jurisdictional limits of this court, to be determined by a jury, which will fairly and adequately compensate the Plaintiff for her injuries and damages sustained, together with interest from the date of injury, and the costs of this proceeding.

Respectfully submitted:

/s/ William H. Hassinger

William H. Hassinger (HAS018) W. Channing Brashaw (BRA170) Attorneys for Plaintiff

OF COUNSEL:

WETTERMARK KEITH, LLC 100 Grandview Place, Suite 530 Birmingham, AL 35243 Telephone: (205) 933-9500 Facsimile: (205)977-3431

Email: cbrashaw@wkfirm.com

DEFENDANT TO BE SERVED BY CERTIFIED MAIL BY CLERK:

Ronnie Castillo Perez 222 W Fir St, Apt El Brea, CA 92821-6414

Total Quality Logistics, LLC c/o Corporate Creations Network, Inc. 4000 Eagle Point Corporate Drive Birmingham, AL 35242